

003 JUN 20 AM 11 03

[Handwritten signature]

John R. Rizzardi, WSBA No. 9388
Admitted Pro Hac Vice
Cairncross & Hempelmann, P.S.
524 Second Avenue, Suite 500
Seattle, WA 98104-2323
Telephone: (206) 587-0700
Facsimile: (206) 587-2308

UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF IDAHO

In re:

FRANK L. CHAPIN and
SYDNEY L. GUTIERREZ-CHAPIN,

Debtors.

NO. 02-20218

DECLARATION OF JOHN R. RIZZARDI IN
SUPPORT OF EX PARTE MOTION FOR
RULE 2004 PRODUCTION OF
DOCUMENTS FROM DEBTORS

I, John R. Rizzardi, under the penalty of perjury under the laws of the State of
Washington, declare as follows:

1. I am an attorney duly admitted and qualified to practice law before the
above-entitled court. I am a member of the law firm of Cairncross & Hempelmann, P.S.
("Counsel").

2. Counsel is counsel for creditor Frederick A. Leaf, M.D. ("Leaf") in the above-
captioned case.

{00157222.DOC;1}

DECLARATION OF JOHN R. RIZZARDI - 1

Cairncross & Hempelmann, P.S.

Law Offices

524 Second Avenue, Suite 500

Seattle, Washington 98104-2323

Phone: 206-587-0700 • Fax: 206-587-2308

ORIGINAL

151

3. I have personal knowledge of the facts set forth herein. I can testify that said facts are true and correct.

4. On June 9, 2003, I presented a verbal motion to this Court requesting that the Court enter an order requiring the Debtors to produce the documentation set forth on Exhibit A to the proposed Order. The Motion was opposed by Debtors' counsel. The Court ruled that it would enter the Order. Generally, the requested documents are filed copies of the Debtors' income tax returns and an accounting for client funds commonly referred to as the Van Schravendyk funds.

5. This information is critical for my client as he needs same in order to be able to finalize efforts to achieve confirmation of the current Plan of Reorganization that is before this Court. The next hearing on confirmation is set for July 8, 2003.

6. Accordingly, it is requested that the proposed Order be entered immediately.

DATED this 19 day of June, 2003 at Seattle, Washington.

John R. Rizzardi